



Sen. Matt Murphy

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LRB099 03020 JWD 34578 a

1 AMENDMENT TO SENATE BILL 274

2 AMENDMENT NO. _____. Amend Senate Bill 274 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Fiscal Year 2015 Emergency Act.

6 Section 5. Legislative intent. The General Assembly hereby
7 finds and declares that the State is confronted with an
8 unprecedented fiscal crisis. This Act is to be liberally
9 construed and interpreted in a manner that allows the State,
10 together with other actions taken, to address the fiscal crisis
11 for the fiscal year ending June 30, 2015.

12 Section 10. Fund transfers.

13 (a) Notwithstanding any other provision of law, but subject
14 to the provisions of this Act, at the direction of and upon
15 notification from the Governor, the Comptroller shall direct

1 and the Treasurer shall transfer an amount specified by the
2 Governor for the State's fiscal year 2015 from any fund held by
3 the Treasurer to any general fund held by the Treasurer.

4 (b) The sum of transfers made pursuant to this Section may
5 not exceed \$26,000,000.

6 (c) No transfer pursuant to this Section may be made from
7 (i) any federal trust fund; (ii) any amount set aside for
8 payment of debt service; (iii) any amount set aside for the
9 State retirement systems governed by Article 2, 14, 15, 16, or
10 18 of the Illinois Pension Code; (iv) any fund designated for
11 use exclusively by the legislative branch or the judicial
12 branch, or any official or agency of the foregoing branches, or
13 by the State Board of Elections or the State Board of
14 Education; or (v) any State fund designated for use exclusively
15 by the Attorney General, the Secretary of State, the
16 Comptroller, or the Treasurer without the written
17 authorization from such official.

18 (d) No transfer made pursuant to this Section may reduce
19 the cumulative balance of all of the funds held by the
20 Treasurer to an amount less than the total debt service payable
21 during the 12 months immediately following the date of the
22 transfer on any bonded indebtedness of the State and any
23 certificates issued under the Short Term Borrowing Act. When
24 any of the funds from which moneys have been transferred under
25 this Section have insufficient cash from which the State
26 Comptroller may make expenditures properly supported by

1 appropriations from the fund, then, at the direction of the
2 Director of the Governor's Office of Management and Budget, the
3 State Treasurer and State Comptroller shall transfer from the
4 General Revenue Fund to the fund only such amount as is
5 immediately necessary to satisfy outstanding expenditure
6 obligations on a timely basis, subject to the provisions of the
7 State Prompt Payment Act. All or a portion of the amounts
8 transferred from the General Revenue Fund to a fund pursuant to
9 the preceding sentence from time to time may be re-transferred
10 by the State Comptroller and the State Treasurer from the
11 receiving fund into the General Revenue Fund as soon as and to
12 the extent that deposits are made into or received by the
13 receiving fund. If the Director of the Governor's Office of
14 Management and Budget determines that any transfer to the
15 general funds from any of the funds from which moneys have been
16 transferred under this Section either (i) jeopardizes federal
17 funding based on a written communication from a federal
18 official or (ii) violates an order of a court of competent
19 jurisdiction, then the Director may order the State Treasurer
20 and State Comptroller, in writing, to transfer from the General
21 Revenue Fund to that fund all or part of the amounts
22 transferred from that fund under this Section.

23 Section 15. Report. Within 5 business days of each transfer
24 made pursuant to Section 10, the Director of the Governor's
25 Office of Management and Budget shall deliver a report to the

1 President of the Senate, the Speaker of the House of
2 Representatives, the Minority Leader of the Senate, and the
3 Minority Leader of the House of Representatives that sets forth
4 the following information:

5 (a) The date each transfer was made.

6 (b) The amount of each transfer.

7 (c) In the case of a transfer from the General Revenue Fund
8 to a fund of origin, the amount of such transfer and the date
9 such transfer was made.

10 (d) The end-of-day balance of both the fund of origin and
11 the General Revenue Fund on the date the transfer was made.

12 A copy of each report shall be posted on the website of the
13 Governor's Office of Management and Budget within 2 business
14 days after the report is delivered the legislative leaders.

15 Section 20. Repealer. This Act is repealed July 1, 2015.

16 Section 99. Effective date. This Act takes effect upon
17 becoming law."